

HOUSE TRANSPORTATION COMMITTEE AMENDMENT NO. 1

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 2278

House Bill No. 2103*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

in the amendatory language of Section 1 by deleting subsections (c) and (d) in their entireties and substituting instead the following:

(c) Notwithstanding any rule or regulation to the contrary, special permits as provided in Tennessee Code Annotated, Section 55-7-205, shall be required for the movement of all manufactured houses or portable modular units (hereafter referred to as "manufactured home") in excess of eight feet six inches (8' 6") in width or when towing vehicle and manufactured home is in excess of sixty feet (60') in length. No overall length limitation shall be imposed. A special permit shall be required where the overall height does not exceed fifteen feet six inches (15' 6"). Permits issued for manufactured homes which have a height of more than thirteen feet six inches (13' 6") shall require special routing. The transporter and the owner of the manufactured home, if the owner is a different person or entity, moving a manufactured home requiring special routing because of the height of the manufactured home shall have the affirmative duty to determine that (1) the undercarriage for the manufactured home is equipped with adequate brakes that are operated from the towing vehicle, and (2) the permitted route allows safe passage of the manufactured home based on the height thereof. The duty shall be primarily the transporter's duty. The owner shall be secondarily liable. The affirmative duty to determine the safe passage may be met by use of a front escort vehicle having protrusions equal to the height of the permitted vehicle. Notwithstanding any other provision of law to the contrary, by accepting a permit requiring special routing

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because of the height of the manufactured home, the transporter and the owner, if they are separate persons or entities, in the same relationship as each is liable with regard to the affirmative duties described above, agree to hold harmless and indemnify the department of transportation from any claims resulting from damage to, or resulting from, the manufactured home caused by the manufactured home striking an overhead structure or obstruction while traveling on the public roads or highways of the state. The indemnification to the department of transportation shall match the exposure to the department of transportation as provided by Tennessee Code Annotated, Section 9-8-307, as it may be, from time to time, amended or construed.

(d) Notwithstanding any other rule or regulation to the contrary, for movements of manufactured homes over fourteen feet (14') but not exceeding sixteen feet (16') in width, special permits shall be required for movements during the times allowed Monday through Saturday. Special permits required by this act shall be valid for six (6) days during which movement is allowed beginning with and including the first day of permitted movement.

AND FURTHER AMEND by renumbering the existing Section 2 as Section 3 and inserting the following as a new Section 2:

Section 2. Tennessee Code Annotated, Section 55-4-407(a), is amended by deleting the language "C misdemeanor" and substituting instead the language "B misdemeanor, punishable only by a fine not to exceed one hundred dollars (\$100)".